Kruthers, Heather H. (for Public Guardian – Conservator/Petitioner)

(1) Ninth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 77			PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Account period: 03/01/12 - 02/28/14	According to the Court's records there are \$750.00 in unpaid Court
Со	nt. from		Accounting - \$255,650.95 Beginning POH - \$166,058.78 Ending POH - \$142,942.25	Investigator fees.
	Aff.Sub.Wit.		Ending POH - \$142,942.25	
✓	Verified			,
	Inventory		Conservator - \$1,048.16 (8.6	3
	PTC		staff hours @ \$76/hr. and 4.11 deputy hours @ \$96/hr.)	
	Not.Cred.		110013 @ \$70/111.j	
✓	Notice of		Attorney - \$1,250.00 (le	SS
	Hrg		than allowed per Local Rule)	
✓	Aff.Mail	w/		
	Aff.Pub.		Bond fee - \$930.66 (ok)	
	Sp.Ntc.		Petitioner prays for an Order:	
	Pers.Serv.		1. Approving, allowing and settling the	
	Conf.		Ninth Account;	
	Screen		2. Authorizing the conservator and	
	Letters		attorney's fees and commissions; an	II II
	Duties/Supp		3. Authorizing payment of the bond fee	e.
	Objections		Court Investigator Dina Calvillo filed a	
	Video		report on 06/30/14.	
	Receipt			
✓	CI Report			
	2620(c)	n/a		
✓	Order			
	Aff. Posting			Reviewed by: JF
	Status Rpt			Reviewed on: 08/22/14
	UCCJEA			Updates:
	Citation		ļ	Recommendation:
	FTB Notice	<u> </u>		File 1 – Gauss

2 Stella Hagopian (CONS/PE)

Case No. 07CEPR00272

Atty Kruthers, Heather H (for Petitioner/Conservator Public Guardian)

Atty Istanboulian, Flora (court appointed for the conservatee)

Petition for Fees for Conservator and her Attorney

Age: 75 years	PUBLIC GUARDIAN, Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 072314 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of	Petitioner states on 2/22/11 the court approved the petitioner's second account, including the dispensation of further accountings. All of the requirements set forth in Probate Code 2628(b) remain. The conservatee is on Medi-Cal. The State allows the share of cost normally paid to the facility for Medi-Cal clients to be used to pay a conservator's fees instead. It requires a court order stating that fees are owed and approved.	
Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen	The Conservator and her attorney have provided services to the conservatee without payment since September 23, 2010. Petitioner requests the court approve payments to the conservator and her attorney as follows:	
Letters Duties/Supp Objections Video Receipt	Conservator - \$3.201.36(17.91 Deputy hours @ \$96/hr and 19.50 Staff hours @ \$76/hr) Attorney - \$750.00 (5 hrs @	
CI Report 9202 Order Aff. Posting Status Rpt UCCJEA	\$150/hr) Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	Reviewed by: KT Reviewed on: 8/25/14 Updates:
Citation FTB Notice	Petitioner prays for an Order: 1. Authorizing the conservator and attorney fees and commissions 2. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions	Recommendation: File 2 - Hagopian

Lessie Bradley (Estate)

Moore, Susan L. (for Administrator Doris A. Johnson)

(1) Petition for Settlement of First and Final Account; Petition for Final Distribution and for (2) Allowance of Ordinary and Extraordinary

DOD:	1-1-85		DORIS A. JOHNSON, Administrator with Full	NEEDS/PROBLEMS/COMMENTS:
<u>DOD.</u>	1-1-05		IAEA with bond of \$75,000.00, is Petitioner.	NEEDS/FROBLEMS/COMMENTS.
			Account period: 1-1-85 through 7-18-14 Accounting: \$35,000.00 Beginning POH: \$35,000.00	Note: The intestate heirs to this estate would be Petitioner Doris Johnson, her two siblings
	Aff.Sub.Wit.		Ending POH: \$7,401.44 (cash)	Mildred Hodges and Leonard Bradley, and the issue of a
~			Administrator (Statutory): \$760.00	post-deceased sibling Edna
<u> </u>	Verified		Administrator (Extraordinary): \$1,000.00	Cox: Darryl Cox, Cynthia
*	Inventory		(for the sale of the real property)	Clanton, and Sharon Cox- Plousha.
*	PTC Not Cred		Attorney (Statutory): \$760.00	Piousna.
<u> </u>	Not.Cred.		Attorney (Extraordinary): \$1,000.00	1. This estate was opened in
Ť	Notice of Hrg		(for the sale of the real property)	2007 and sat dormant for
~	Aff.Mail	W	Administrator requests reimbursement) for	seven years, incurring
	Aff.Pub.		the following expenses totaling \$13,835.31:	expenses, without any status report filed with the
	Sp.Ntc.		• \$8,419.43 for payments to City of Fresno	Court or served on heirs.
	Pers.Serv.		for lien against the real property from	
	Conf.		2001 through 2005 (see itemization)	This does not appear to have been a benefit to the
	Screen		• \$1,015.88 for property tax payments from	estate; rather, it appears to
>	Letters 8-27-0)7	2002 through 2014 (see itemization)	have been detrimental.
	Duties/Supp		• \$4,400.00 was paid for disking, weeding,	Petitioner does not address
	Objections		and general cleanup; however,	why the estate was not closed timely pursuant to
	Video		itemization is not provided since there is not sufficient cash in the estate for	Probate Code §12200.
	Receipt		reimbursement of these expenses	_
_	CI Report		Petitioner states the estate is insolvent and	Examiner notes the
<u> </u>	9202 Order		the remaining balance after payment of	following circumstances:
	Oldei		closing expenses should be distributed to	SEE ADDITIONAL PAGES
			Doris A. Johnson for reimbursement of expenses advanced for the benefit of the	
	Aff. Posting		estate to the extent of the remaining assets.	Reviewed by: skc
	Status Rpt		Petitioner prays for an order that:	Reviewed on: 8-22-14
	UCCJEA		Administration of this estate be closed;	Updates:
N 1 / A	Citation		2. The first and final account be approved;	Recommendation:
N/A	FTB Notice		3. Petitioner be allowed the sum of	File 3 – Bradley
			\$1,760.00 as its fee for ordinary and extraordinary services to the estate;	
			4. Petitioner's attorney be allowed the sum	
			of \$1,760.00 as its fee for ordinary and	
			extraordinary services to the estate; 5. All acts, transactions, sales, and	
			investments of the personal	
			representative be ratified, approved,	
			and confirmed; and	
			6. The remaining balance of the estate in	
			the amount of \$3,881.44 be distributed to Petitioner as reimbursement for	
			expenses advanced to the benefit of	
			the estate.	

Page 2

NEEDS/PROBLEMS/COMMENTS (CONT'D):

1. (Cont'd): The I&A filed in 2007 valued the real property at \$35,000.00 as of the decedent's date of death, which was in 1985; however, in 2007, the property's value was estimated at \$75,000.00. Bond was fixed at \$75,000.00 because Administrator was granted authority under IAEA to sell the property.

If the estate had been administered timely, there may have been proceeds available for distribution to the heirs. However, because it was not, the value decreased significantly between 2007 and 2014 and the Administrator incurred \$13,835.31 in expenses for which she now requests reimbursement, as well as expenses for bond premiums for seven years, for which she has apparently already reimbursed herself per the disbursements schedule.

Petitioner requests the Court approve all acts and transactions of the Administrator, without addressing these circumstances, and stating that her expenses incurred were beneficial to the estate. Need clarification.

- 2. Petitioner requests the full amount of statutory compensation as well as extraordinary compensation for herself and her attorney. The Court may require clarification with reference to the above circumstances and Probate Code §§ 12200 (noticed final account or report of status) and 12205 (Court may reduce compensation).
- 3. The Court may require notice to the surety for any further or continued hearing on this matter.

<u>Note</u>: Bond of \$75,000.00 was filed on 8-27-07 per Court records (Banner); however, the original bond does not appear to be in the file. The Court may require a copy of the bond for the file.

Shepard, Jeff S. (for Leslie Ann Sparks – Petitioner – Executor)

(1) First and Final Account and Report of Administration, Petition for Settlement, (2) Reimbursement to Executor, (3) Allowance of Statutory Attorneys Fees and (4) Final Distribution

	FINAL DISTRIBUTION				
DC	D: 03/05/2012	LESLIE ANN SPARKS, Executor, appointed	NEEDS/PROBLEMS/COMMENTS:		
		on 04/17/2012 with full IAEA authority, it			
		petitioner.			
		Accounting period: 03/06/2012 –	Note: Consistent with the Court's		
Со	nt. from 080614	06/16/2014	recent practice Court will set a Status		
	Aff.Sub.Wit.	Accounting - \$340,667.85	Hearing as follows:		
1	Verified	Beginning - \$223,158.13	Wodnesday, February, 4, 2015 at		
Ľ		POH - \$326,313.66	Wednesday, February 4, 2015 at 9:00 a.m. in Dept. 303 for an		
	Inventory		Informal Accounting of the		
	PTC	Executor – Waives Executor Costs - \$17,477.36	\$55,000.00 Closing Reserve.		
	Not.Cred.	17,477.36			
✓	Notice of	Attorney - \$7,463.16	Pursuant Local Rule 7.5, if the		
	Hrg	(statutory)	document noted above is filed 10		
✓	Aff.Mail w/	Closing - \$55,000.00	days prior to the date listed, the		
	Aff.Pub.	(Tax deficiencies and closing expenses)	hearing will be taken off calendar and		
	Sp.Ntc.	Distribution to:	no appearance will be required. Filing		
	Pers.Serv.	Barbara Simpson-Taylor - \$30,000.00	of the informal accounting of closing reserve will not generate a new		
	Conf.	Barbara sirripsorr raylor - \$60,000.00	hearing date.		
	Screen	Jiselle Bakker – 100% of United Security	neamig date.		
	Letters 04/18/12	Bank Stock			
	Duties/Supp	Leslie Ann Sparks - \$9,576.04, 200 Shares,			
	Objections	Lockheed Martin Corp. Com; 168 Shares,			
	Video	Raytheon Co Com New			
	Receipt	Mark J. Taylor - \$9,576.03, 200 Shares,			
	CI Report	Lockheed Martin Corp. Com; 168 Shares,			
✓	9202	Raytheon Co Com New			
✓	Order	Michael F. Taylor - \$9,576.03, 200 Shares,			
	Aff. Posting	Lockheed Martin Corp. Com; 168 Shares,	Reviewed by: LV		
	Status Rpt	Raytheon Co Com New	Reviewed on: 08/25/2014		
	UCCJEA		Updates: KT for 8/27/14		
	Citation		Recommendation:		
	FTB Notice		File 4 – Taylor		
	•				

Moore, Susan L. (for Administrator Chen Liang)

(1) Petition for Settlement on Waiver of Account; and (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary Services

DO	D: 1-20-13		CHEN LIANG, Administrator With Full	NEEDS/PROBLEMS/COMMENTS:
	D. 1-20-13		IAEA without bond, is Petitioner.	NEEDS/TROBLEMS/COMMENTS.
			TALA WITHOUT BOTTA, 13 T CHINOTICE.	1. Petitioner states the creditor's claims
			Accounting is waived.	were approved and paid; however,
			7 (Coconning is Walvou.	the mandatory allowance form was
			I&A: \$195,000.00	not filed and no withdrawals or receipts have been filed. The Court
	Aff.Sub.Wit.		POH: \$195,000.00 (Decedent's 50%	may require the filing of the
~	Verified		interest in two parcels of real property)	mandatory Judicial Council form
~	Inventory			DE-174 Allowance or Rejection of
~	PTC		Administrator (Statutory): Waived	Creditor's Claim pursuant to Probate
~	Not.Cred.		Attorney (Statutory): \$6,850.00	Code §9250(b), which includes proof of service on the creditor and allows
~	Notice of		7 (Torriey (Starotory): \$0,000.00	90 days for response, for the
	Hrg		Distribution pursuant to intestate	following claims filed in this estate:
~	Aff.Mail	W	succession and Assignment of Interest	- Claim of \$965.42 filed 3-22-13 by
	Aff.Pub.		filed 8-12-13:	AscensionPoint Recovery Services,
	Sp.Ntc.		Chen Liang: Entire estate consisting of	LLC, on behalf of GE Capital Retail Bank
	Pers.Serv.		Decedent's 50% interest in two parcels	- Claim of \$3,856.67 filed 5-28-13 by
	Conf.		of real property	AscensionPoint Recovery Services,
	Screen		, ,	LLC, on behalf of Citibank, N.A.
>	Letters 4-24-	13		- Claim of \$1,442.50 filed 8-16-13
	Duties/Supp			by PG&E
	Objections			Alternatively, the Court may require
	Video			withdrawals from the creditors.
	Receipt			
	CI Report			
~	9202			
~	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 8-22-14
	UCCJEA			Updates:
	Citation			Recommendation:
~	FTB Notice			File 5 – Liang
				5

Burnside, Leigh W. (for Pamelyn S. Gingold – Co-Trustee – Petitioner)

Petition for Settlement of First Account of the Emelia C. Calnek Trust and the Three Minors Accounts by Co-Trustee, Pamelyn Sharley Gingold

			NEEDS/PROBLEMS/COMMENTS:
			OFF CALENDAR
	Aff.Sub.Wit.		Dismissal as to Petition for Settlement of
~	Verified		First Account entered 8-19-14.
	Inventory		Dismissal as to Petition to Remove entered
	PTC		8-1-14.
	Not.Cred.		
~	Notice of		
	Hrg		
~	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf.		
	Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video		
	Receipt		
	CI Report		
	9202		
>	Order		
	Aff. Posting	_	Reviewed by: skc
	Status Rpt	_	Reviewed on: 8-22-14
	UCCJEA		Updates:
	Citation	_	Recommendation:
	FTB Notice		File 6 - Calneck

7

Dina Marie Cranford (Estate)
Shepard, Jeff S. (for Executor James Michael Cranford)

Petition for Final Distribution and for Allowance of Requested Fees to Attorney on Waivers of Accounting and Notice

DO	D: 1-24-14		JAMES MICHAEL CRANFORD, Executor	NE	EEDS/PROBLEMS/COMMENTS:
			with Full IAEA without bond, is Petitioner.		
			Accounting is waived.	1.	Petitioner states the creditor's claim was approved and paid; however, the mandatory allowance form was
	Aff.Sub.Wit.		1&A: \$2,500,000.00		not filed and no withdrawals or receipts have been filed. The Court
~	Verified		POH: \$27,524.06 cash plus real property valued at \$2,500,000.00		may require the filing of the mandatory Judicial Council form
>	Inventory PTC		Executor (Statutory): Waived		DE-174 Allowance or Rejection of Creditor's Claim pursuant to Probate
→	Not.Cred.		Attorney: \$30,000.00		Code §9250(b), which includes proof of service on the creditor and allows
~	Notice of Hrg		(Less than statutory)		90 days for response, for the following claims filed in this estate:
~	Aff.Mail	W	Petitioner requests authorization to pay all estate expenses and closing		- Claim of \$898.88 filed 6-19-14 by
	Aff.Pub.		expenses such as preparation and filing		Grant Mercantile Agency
	Sp.Ntc.		of the final fiduciary income tax returns		Alternatively, the Court may require
	Pers.Serv.		and schedule K-1, and any tax		withdrawals from the creditors.
	Conf.		deficiencies determined to be due,		
	Screen		outside of probate.		
~	Letters 3-19-	14	District the second section of the section of the second section of the second section of the second section of the section of the second section of the sectio		
	Duties/Supp		Distribution pursuant to Decedent's will:		
-	Objections		James Michael Cranford: Entire estate		
	Video Receipt		consisting of \$27,524.06 cash plus real		
	CI Report		property valued at \$2,500,000.00		
~	9202				
~	Order				
	Aff. Posting			Re	eviewed by: skc
	Status Rpt			Re	eviewed on: 8-22-14
	UCCJEA			Up	odates:
	Citation			Re	commendation:
~	FTB Notice			File	e 7 – Cranford

8

Davis 1989 Family Trust (Trust)

Burnside, Leigh W. (for Petitioner Joshua Davis – Beneficiary)

Petition for Order Compelling Trustee to Account and Report

	mas J. Davis	JOSHUA DAVIS, Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOD: 6-5-00 Wealthea Davis		Petitioner states he is a beneficiary of the	Continued from 5-19-14, 6-18-14,
	D: 3-25-98	Davis 1989 Family Trust dated 11-17-89	7-16-14
	2.0 20 .0	(the Trust) (Exhibit A). On or about the	
		same date, Thomas and Wealthea Davis	As of 8-22-14, nothing further has
	1.6 05101.4	also created the Davis Family 1989 Life	been filed.
	nt from 051914,	Insurance Trust (the Insurance Trust)	
061	814, 071614	(Exhibit B). The Family Trust became	SEE ADDITIONAL PAGES
	Aff.Sub.Wit.	irrevocable on the settlors' deaths. The	
>	Verified	Insurance Trust was already irrevocable during their lifetimes. Petitioner states	
	Inventory	BRUCE NEILSEN is the successor trustee of	
	PTC	both trusts.	
	Not.Cred.		
>	Notice of	Petitioner states that following the death	
	Hrg	of Thomas Davis on 6-5-00, Petitioner, by	
>	Aff.Mail w	his agent and CPA Tom Bell, inquired of	
	Aff.Pub.	Trustee Neilsen on multiple occasions	
	Sp.Ntc.	about the nature of the Trust assets and	
	Pers.Serv.	timetable for distribution. Petitioner was	
	Conf.	aware that the decedents had owned real property in California, various stocks	
	Screen	and bonds, as well as other assets to	
	Letters	which Petitioner and the other named in	
	Duties/Supp	this petition were beneficiaries.	
		'	
	Objections V	Petitioner has requested that Trustee	
	Video	Neilsen provide him with an account of	
	Receipt	his administration of the Trust, but Trustee	
	CI Report	Neilsen has not done so. Additionally,	
	9202	Petitioner believes portions of the trust	
_	Order	property that were to be held fbo Trust beneficiaries and Insurance Trust	
	Aff. Posting	beneficiaries have been used to make	Reviewed by: skc
	Status Rpt	loans to beneficiaries other than	Reviewed on: 8-22-14
<u> </u>	UCCJEA	Petitioner, all to the detriment of	Updates:
<u> </u>	Citation	Petitioner and other beneficiaries who	Recommendation:
	FTB Notice	may have lost their share of Trust and	File 8 - Davis
		Insurance Trust assets as a result of the	
		breach of his duties to the beneficiaries	
		by Trustee Neilsen.	
		CEE ADDITIONAL DAGE	
		SEE ADDITIONAL PAGES	
			0

8 Davis 1989 Family Trust (Trust)

Case No. 14CEPR00298

Page 2

Petitioner states moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

Petitioner requests the Court order as follows:

- 1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the <u>Davis 1989 Family Trust</u> and the <u>Davis 1989 Life Insurance Trust</u> for the period of June 6, 2000 through March 31, 2014, inclusive;
- 2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;
- 3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and
- 4. Granting any and all other relief as the Court deems just and proper.

SEE ADDITIONAL PAGES

Page 3

NEEDS/PROBLEMS/COMMENTS:

- This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.
 - The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.
- 2. Also, per its terms, the Family Trust was to immediately divide into <u>twelve (12) separate trusts</u>, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).
 - <u>Note</u>: The language in the instruments differentiates between division into separate <u>trusts</u> and into separate <u>shares</u>, as contemplated by the Life Insurance Trust.
- 3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.
- 4. Probate Code §17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to §17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to §17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)

9

Case No. 14CEPR00319

Helen Marie Sircy Ratliff (CONS/PE)

Teixeira, J. Stanley (Court Appointed for Conservatee/Petitioner) Atty Petition for Compensation

Ag	e: 82		J. STANLEY TEIXEIRA, Petitioner, was court appointed to represent the	NEEDS/PROBLEMS/COMMENTS:
			Conservatee on 04/08/14.	
			MELINDA RATLIFF MURRAY and MELANIE	
Co	nt. from		RATLIFF WELCH, daughters, were	
	Aff.Sub.Wit.		appointed as Co-conservators of the Person and Estate on 07/07/14.	
√	Verified		T CISCIT GITG ESTATE CIT 07/07/14.	
	Inventory		Petitioner requests in connection with	
	PTC		the representation of the Conservatee	
	Not.Cred.		for the petition to appoint a	
√	Notice of		conservator.	
	Hrg		Petitioner asks that he be paid from the	
✓	Aff.Mail	w/	conservatorship estate for 8.8 hours @	
	Aff.Pub.		\$275/hour, reduced to \$2,337.50 plus	
	Sp.Ntc.		costs of \$435.00 for a total of \$2,772.50.	
	Pers.Serv.		Services are itemized by date and	
	Conf.		include review of documents, visits with	
	Screen		client, and court appearances.	
	Letters			
	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
✓	9202			
<u>*</u>	Order			Paviawad by: IE
	Aff. Posting Status Rpt			Reviewed by: JF Reviewed on: 08/22/14
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 9 - Ratliff

Atty James, Christine M (for Petitioner Lynsey Arce)

Atty Levinson, Jeffrey (for Objectors Mark Arce and Sharon Arce)

Petition for Determination of Entitlement to Personal Property in the Possession of Another and for Double Damages

DC	D: 1/22/14	LYNSEY ARCE is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Co	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of	Petitioner states she is the granddaughter of the decedent. Petitioner and her brother, MARK ARCE ("MARK"), are the only heirs of the decedent. Petitioner alleges that decedent died with significant assets that are under the control of and in the possession of MARK ARCE and his wife, SHARON ARCE ("SHARON").	Continued to 10/15/14 at the request of the attorneys. Continued from 7/8/14. Minute order states Mr. Levinson reports there is no trust. Counsel is directed to meet and confer. The Court orders any action with regard to the subpoenas to be stayed and enforcement not sought pending further order of the Court.
	Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters	Petitioner is unaware of the nature of decedent's assets. MARK and SHARON have refused and continue to refuse to share the information with Petitioner despite numerous requests. Petitioner believes she is legally entitled to a 50% interest in all of the decedent's personal property in the possession of	 Need Notice of Hearing. Need proof of personal service of the Notice of Hearing along with a copy of the petition, at least 30 days prior to the hearing, on: Mark Arce Sharon Arce
	Duties/Supp Objections Video Receipt CI Report 9202 Order	MARK and SHARON according to proof. Petitioner's lack of knowledge as to the nature and extent of the decedent's property does not preclude her from filing this claim. Petitioner can establish the facts necessary, through the	 3. Need copy of the Trust instrument prior to any determination as to who is entitled to the assets of the Trust. If there is no trust then a probate proceeding will need to be commenced to determine the heirs of the estate. 4. Need Order
	Aff. Posting Status Rpt UCCJEA	MARK and SHARON. Please see additional page	Reviewed by: KT Reviewed on: 8/21/14 Updates:
	Citation FTB Notice		Recommendation: File 10 - Schmit

Petitioner states MARK and **SHARON** have refused to provide the Petitioner with information regarding her grandmother's estate and have specifically stated they will share only what they want. This concealment is being done in bad faith and subjects **MARK** and **SHARON** to an award of double damages. Additionally, Petitioner believes that the may be a trust for which **MARK** and **SHARON** have not provided and not given the notice as required under Probate Code §16061.7 for which double damages are proper.

Petitioner prays for an Order:

- The court determine that LYNSEY ARCE is entitled to 50% of all known and after discovered personal property of the decedent, Irene Alice Schmit, but in the possession or under the control of MARK ARCE and SHARON ARCE, at the time of decedent's death.
- The court determine that MARK ARCE and SHARON ARCE shall pay LYNSEY ARCE with the value of the property concealed or transferred in bad faith or that was transferred as a result of the undue influence of Irene Alice Schmit by MARK ARCE and/or SHARON ARCE.

Objection to Verified Petition for Determination of Entitlement to Personal Property in the Possession of Another and for Double Damages filed by Mark Arce and Sharon Arce on 7/3/14. Objectors state the Petition is devoid of any mention of a trust and the superior court's jurisdiction over a trust commences at Probate Code § 15000 et seq. not Probate Code § 850 et seq., the code upon which Petitioner bases her request for relief. Probate Code § 850 et seq. governs probate litigation over adverse claims to property in decedent's estate administration.

Stated succinctly, the Petition fails to state a cause of action – a valid claim – entitling Petitioner to any form of relief from this court. As such the Petition should be dismissed.

As no valid claim exists, Respondents further request the court direct Petitioner, through her counsel, to withdraw the subpoenas allegedly served by Petitioner upon the IRS, Union Bank and Kern Schools Federal Credit Union.

Atty Renge, Lawson K.

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

		NEEDS/PROBLEMS/COMMENTS:
		OFF CALENDAR
		(Calendared in error)
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of	1	
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt	 -	
CI Report		
9202		
Order	4	
Aff. Posting	4	Reviewed by: skc
Status Rpt	4	Reviewed on: 8-22-14
UCCJEA		Updates:
Citation	_	Recommendation:
FTB Notice		File 11 – Tsutsui

11

Case No. 14CEPR00562

Gomez, Lissette (of San Francisco, for Wilson L. Arteaga – Minor Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		WILSON L. ARTEAGA, Minor, is Petitioner and requests that his uncle JOSE EFRAIN ARTEAGA, be appointed as Guardian of his person.	The Court may require diligence or notice re the father and paternal grandparents per Probate
_	Aff.Sub.Wit.	Petitioner also requests that this Court make an order regarding minor's eligibility for	Code §1511.
	Inventory	special immigrant juvenile status. See points and authorities and declarations in support.	Note: There are two orders in the file for signature:
	PTC Not.Cred.	Father: Unknown	1) Order Appointing
	Notice of Hrg	Mother: Maria Amparo Arteaga Ruiz (El Salvador) (consents and waives notice)	Guardian
_	Aff.Mail v Aff.Pub.	Paternal grandparents: Unknown	Order Re Eligibility for Special Immigrant Juvenile Status
	Sp.Ntc. Pers.Serv.	Maternal Grandfather: Deceased Maternal Grandmother: Nicolasa Ruiz	Jovenne Sigios
~	Conf. Screen	(El Salvador) (consents and waives notice)	
>	Letters Duties/Supp	Siblings: Jose Arteaga, Hermila Arteaga, Santos Arteaga (El Salvador)	
	Objections	Petitioner states he fled his home country of El	
	Video Receipt	Salvador. He was forced to leave school at the age of 14 and work long days under	
	CI Report	dangerous conditions. He was often injured	
	9202	while working and exposed to dangerous chemicals. He also feared being recruited by	
 	Order Aff. Posting	violent street gangs. Since residing with his	Reviewed by: skc
	Status Rpt	uncle, he has been able to live in a safe	Reviewed by: 3RC
	UCCJEA	home environment and plans to attend	Updates:
	Citation	school in the fall.	Recommendation:
	FTB Notice	Court Investigator Jennifer Young filed a report on 8-20-14.	File 12 – Arteaga

Shepard, Jeff S. (for Eiko li – Petitioner – Spouse)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

	C. 8002, 10450)						
DC	D: 08/31/2013	EIKO II , spouse is petitioner and	NEEDS/PROBLEMS/COMMENTS:				
		requests appointment as Administrator					
		without bond.	Continued to 9/17/14 at the request of				
		1	the attorney.				
Co	nt. from 080614	All heirs waive bond	1 Dettion in the standard and and an allowed				
	Aff.Sub.Wit.	■ Full IAEA – ?	Petition indicates decedent's residence the time of death was Foundary				
		FUILIAEA — Ç	at the time of death was Fowler, California, therefore the correct				
√	Verified	Decedent died intestate	publication should be The Fowler Ensign.				
	Inventory	Deceder if died if flestate	Petitioner published in The Business				
	PTC	Residence: Fowler	Journal.				
	Not.Cred.	Publication: The Business Journal	Affidavit of Publication does not include				
	Notice of		IAEA language therefore the Court				
✓	Hrg	Estimated value of the Estate:	cannot grant IAEA authority.				
	Aff.Mail W	Real property - \$300,000.00	Need Notice of Petition to Administer				
√	All./Viuli W		Estate.				
✓	Aff.Pub.	Probate Referee: Steven Diebert	4. Need proof of service of the Notice of				
	Sp.Ntc.		Petition to Administer Estate pursuant to				
		=	Probate Code §8110 on:				
	Pers.Serv.		Andrew A. li Surgery a Serverilli				
	Conf.		Suzanne Sayuri liBernard C. li				
	Screen		5. Need Order.				
	Letters x		6. Need Letters.				
✓	Duties/Supp						
	Objections	=	Note: If the petition is granted status hearings will				
	Video	=	be set as follows:				
	Receipt		•Wednesday, 01/07/2015 at 9:00a.m. in				
	CI Report		Dept. 303 for the filing of the inventory and				
	9202	=	appraisal <u>and</u>				
		-	• Wednesday, 09/09/2015 at 9:00a.m. in				
	Order X		Dept. 303 for the filing of the first account				
			and final distribution.				
			Duran and the Legal Dule 7.5 ft Heading and the				
			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings				
			on the matter the status hearing will come off				
			calendar and no appearance will be required.				
	Aff. Posting		Reviewed by: LV				
	Status Rpt	1	Reviewed on: 08/04/2014				
	UCCJEA	1	Updates: KT for 8/27/14				
	Citation	1	Recommendation:				
	FTB Notice	1	File 13-li				
<u> </u>		Ш	· · · · · · · ·				

Teixeira, J. Stanley (for LaDonna Balto – daughter/Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/18/14			LADONNA BALTO, daughter, is	NEEDS/PROBLEMS/COMMENTS:
			Petitioner and requests appointment	
			as Administrator without bond.	Note: Status hearings will be set as
				follows:
Cont. from			Full IAEA – OK	. Tuesday, 01/07/15 at 0:00a as
<u> </u>	Aff.Sub.Wit.		All heirs waive bond	• Tuesday, 01/27/15 at 9:00a.m. in Dept. 303 for the filing of the
√	Verified			inventory and appraisal and
H			Decedent died intestate	• Tuesday, 12/01/15 at 9:00a.m.
	Inventory			in Dept. 303 for the filing of the first account and final
	PTC		Residence: Fresno	distribution.
	Not.Cred.		Publication: The Business Journal	dismission.
√	Notice of			Pursuant to Local Rule 7.5 if the required
	Hrg		Estimated Value of the Estate:	documents are filed 10 days prior to the
✓	Aff.Mail	w/	Personal property - \$ 1,500.00	hearings on the matter, the status
✓	Aff.Pub.		Real property - 150,000.00	hearing will come off calendar and no appearance will be required.
	Sp.Ntc.		Total - \$151,500.00	appearance will be required.
	Pers.Serv.		Probate Referee: STEVEN DIEBERT	
	Conf.			
	Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: JF
	Status Rpt			Reviewed on: 08/25/14
	UCCJEA			Updates:
	Citation			Recommendation: SUBMITTED
	FTB Notice			File 14 – Carter

Petition to Determine Succession to Real Property (Prob. C. 13151)

חכ	DD: 11/06/12	CYNTHIA ANN SPEAR, BRENDA JAN	NEEDS/PROBLEMS/COMMENTS:
	<i>D</i> . 11/00/12	ARCHER, and VERA T. MARTINEZ,	NEEDS/TROBLEMS/COMMENTS.
		daughters, are Petitioners.	
		╡	
	ent. from	40 days since DOD	
	Aff.Sub.Wit.	= 	
√	Verified	= \$125,00.00	
<u>,</u>	Inventory	Will dated 02/16/04 devises estate to	
Ě	PTC	Petitioners in equal shares.	
-	Not.Cred.	=	
✓	l l	Petitioners request Court determination	
	Notice of Hrg	that decedent's 100% interest in real property located at 3743 W. Robinson,	
√	Aff.Mail	Fresno, pass to them in equal shares	
H	Aff.Pub.	pursuant to decedent's will.	
	Sp.Ntc.	╡`	
	Pers.Serv.	=	
	Conf.	=	
	Screen		
	Letters	=	
	Duties/Supp	=	
	Objections	1	
	Video	1	
	Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 08/25/14
	UCCJEA		Updates:
	Citation	_	Recommendation: SUBMITTED
	FTB Notice		File 15 – Mosley

Boyajian, Thomas M. (for Petitioner Fremon Graves)

Ex Parte Petition for Letters of Special Administration

	Ex Parte Petition for Letters of Special Administration				
DO	D: 4-28-89	FREMON GRAVES, Son-in-law, is	NE	EEDS/PROBLEMS/COMMENTS:	
		Petitioner and requests appointment as Special Administrator with limited IAEA without bond.	1.	Need Duties and Liabilities of Personal Representative and Confidential Supplement ((DE-147 and DE-147S).	
	Aff.Sub.Wit.	Limited IAEA – need publication if	2.	Need date of death of the deceased spouse pursuant to Local Rule 7.1.1.D.	
~	Verified	authority under IAEA is requested	3.	Petition is blank at #5(a)(7) and (8).	
	Inventory	Decedent died intestate		Was decedent survived by issue of a	
	PTC	Residence: Fresno		predeceased child? There are many more names on the service list than were listed at	
	Not.Cred.	Publication: Need publication if		#8 of the petition. Need declaration	
~	Notice of Hrg	authority under IAEA is requested		including all entitled to notice re #8 and their	
<u> </u>	Aff.Mail w/o	Estimated value of estate:		relationships to the decedent.	
	Aff.Pub.	\$62,500.00	4.	Petitioner served "Notice of Hearing" rather	
	Sp.Ntc.	Probate Referee: Rick Smith		than "Notice of Petition to Administer Estate" for this special administration. Need proper	
<u> </u>	Pers.Serv. Conf. Screen	Petitioner states the special		notice pursuant to Probate Code §8545.	
-	Letters	administration will be limited in	5.	Need clarification: Petitioner states the	
	Duties/Supp	scope for the purposes only of		decedent was survived by issue of a	
	Objections	claiming and acquiring a Black		predeceased spouse. Why is this box checked if the decedent was survived by	
	Video	Farmers Settlement Check in the amount of \$62,500.00. This check		issue? Is Rachel Graves the issue of the	
	Receipt	is part of a settlement for the		decedent, or issue of the decedent's	
	CI Report	following named case: In Re		predeceased spouse? Who are the others listed in the Notice of Hearing?	
_	9202 Order	Black Farmers Discrimination	6.		
		Litigation v. USDA. \$12,500.00 of the settlement proceeds will be remitted to the IRS. The decedent was awarded the above-entitled amount as a litigant in the above-mentioned lawsuit. Petitioner Fremon Graves is the husband of Rachel L. Graves, who is the only child and heir to the decedent. Petitioner has been married to Rachel Graves for more than 50 years. Rachel Graves suffers from dementia and is not able to be a personal representative. The claims administrator of the settlement fund has stated that the estate claims must have documentation of legal representation by 8-30-14. If legal paperwork is not received by	7.	special administration is to claim a specific settlement check; however, Petitioner requests authority under IAEA. Need clarification. Petitioner requests appointment as special administrator in order to "claim and acquire" the settlement check on behalf of this decedent's estate, and states that he is married to the decedent's daughter and sole heir, who has dementia. Petitioner also states that \$12,500.00 of the proceeds will be remitted to the IRS. However, the special administration requested is to "claim and acquire" the check only, and Petitioner would not have authority to make any distributions, including to creditors (IRS) or heirs, without a full administration. What is petitioner's plan? Will a petition for probate of the estate be forthcoming? If the sole heir has dementia, any distribution to her may require conservatorship of her estate.	
		then, the estate heirs will lose the	٥	The Court may require bond of \$62,500.00.	
		settlement money. Thus, legal paperwork must be filed in the	0.	• • • • • • • • • • • • • • • • • • • •	
	Aff. Posting	appropriate court and the court	Re	SEE ADDITIONAL PAGES eviewed by: skc	
	Status Rpt	administrator must receive a		eviewed on: 8-25-14	
	UCCJEA	copy of the documentation by 8-30-14.		odates:	
	Citation	_ 0 00-1 -1 .	_	ecommendation:	
	FTB Notice		File	e 16 – Logan	

16 Wesley Logan (Estate)

Case No. 14CEPR00655

Page 2

NEEDS/PROBLEMS/COMMENTS (Continued):

- 9. If granted, the Court will set an expiration date for the special administration. Need estimated time frame for acquisition of the settlement check on behalf of the estate.
- 10. If granted, accounting will be required since the estate will be receiving funds pursuant to Probate Code §8546(c). The Court will set a status hearing for the filing of the account; however, pursuant to the above-noted issues, there may be additional considerations, such as whether a full probate will be opened.
- 11. If granted, need revised order specifying the special powers granted in Attachment 3d(2).

Turgeon, Susan (pro per Guardian/paternal grandmother) Atty

Stay, Jessica E (pro per Petitioner/mother)

Petition for Termination of Guardianship

17

Atty

Age: 3 years			JESSICA STAY, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
			SUSAN TURGEON , paternal grandmother, was appointed	
Cont. from			guardian on 6/14/2012. Susan	
	Aff.Sub.Wit.		Turgeon consents and waives notice.	
1	Verified		Father: THOMAS BELLUOMINI – consents and waives notice.	
	Inventory		conserns and waives nonce.	
	PTC		Paternal grandfather: Deceased	
✓	Not.Cred.		Maternal grandfather: Deceased Maternal grandmother: Debbie	
✓	Notice of Hrg	W/	Marberry – served by mail on 6/27/14	
	Aff.Mail		Petitioner states she has been clean	
	Aff.Pub.		and sober for more than 4 years and is	
	Sp.Ntc.		able to provide her daughter with the	
	Pers.Serv.		love, affection and stability she needs. Petitioner states she was released from	
	Conf.		probation in California in April of this	
	Screen		year. She is still on probation in	
	Letters		Nevada but is 100% compliant and	
	Duties/Supp		expects to be released from said	
	Objections		probation soon. Petitioner states she is	
	Video Receipt		working and has just completed her first semester at Fresno City College. Working towards her A.A. degree.	
	CI Report		Working towards their A.A. degree.	
	9202		Court Investigator Dina Calvillo's	
✓	Order		Report filed on 8/25/14.	
	Aff. Posting			Reviewed by: KT
	Status Rpt			Reviewed on: 8/25/14
	UCCJEA			Updates:
	Citation	<u> </u>		Recommendation:
	FTB Notice			File 17 – Belluomini

18 Mia Nicole Atondo (GUARD/P)

Case No. 14CEPR00554

Atty Cantu, Margaret Ann (pro per Petitioner/maternal grandmother)

Atty Garcia, Nicole (pro per Petitioner/mother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10 years			THERE IS NO TEMPORARY.	NE	EDS/PROBLEMS/COMMENTS:
Cont. from Aff.Sub.Wit.			MARGARET CANTU, maternal grandmother, and NICOLE ANN GARCIA, mother, are petitioners and request appointment of MARGARET CANTU as guardian.		Petition does not include the names and current addresses of the father and paternal grandparents. Need Notice of Hearing.
✓	Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters	X X X	Father: NOT LISTED (identified as JAIME ATONDO in the CI report) Paternal grandparents: Not listed. Maternal grandfather: Edward Cantu Petitioners state the mother is currently taking care of legal issues and both petitioners feel it is in the best interest of the minor that a guardianship be established. Court Investigator Charlotte Bien's Report filed on 8/15/14.		Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: a. Jaime Atondo (father) Need proof of service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: a. Paternal grandparents b. Edward Cantu (maternal
✓ ✓	Objections Video Receipt CI Report			5.	grandfather) Need Confidential Guardian Screening form for Margaret Cantu.
√ ✓	9202 Order Aff. Posting Status Rpt UCCJEA Citation			Re Up Re	eviewed by: KT eviewed on: 8/25/14 odates: ecommendation:
	FTB Notice			File	e 18 – Atondo 18

Motsenbocker, Gary L. (for Petitioner Diana Smith)

Petition for Appointment of Temporary Conservator of the Person and Estate

			GENERAL HEARING 9-29-14	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		DIANA SMITH, Sister-in-law, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate with bond of \$203,720.00.	 Court Investigator advised rights on 8-14-14. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days
>	Verified			prior to the hearing on the proposed Conservatee Ronald F. Smith
	Inventory		Estimated value of estate: Personal property: \$ 35,000.00	pursuant to Probate Code §2250(e).
	PTC		Annual income: \$150,200.00	poisodin io Frobaic Code 32200(c).
	Not.Cred.		<u>Cost of recovery: \$ 18,520.00</u>	
~	Notice of		Total bond: \$203,720.00	
	Hrg			
~	Aff.Mail	W	Petitioner states the proposed	
	Aff.Pub.		Conservatee is medically incapacitated and is not able to	
	Sp.Ntc.		provide for his food, clothing, or	
	Pers.Serv.	Χ	shelter. At this time he is unable to	
~	Conf.		communicate due to his medical	
	Screen		condition. He is unable to attend to	
~	Letters		any of his financial affairs, pay	
~	Duties/Supp		debts, etc., or comprehend or understand the nature and extent	
	Objections		of his assets and resources.	
	Video			
-	Receipt		Court Investigator Samantha	
-	CI Report		Henson filed a report on 8-25-14.	
	9202			
_	Order			Parison diameter
	Aff. Posting	<u> </u>		Reviewed by: skc
	Status Rpt UCCJEA			Reviewed on: 8-25-14
	Citation			Updates: Recommendation:
	FTB Notice			File 19 - Smith
	FIB NOIICE			File 17 = SMIIM

19